

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|---|-----------|------|
| Applicant: | Stearns et al. | Art Unit: | 3764 |
| Serial No.: | 10/634,138 | Examiner: | Crow |
| Filed: | 08/04/03 | | |
| Title: | ELLIPTICAL EXERCISE METHODS AND APPARATUS | | |

Certificate of Facsimile Transmission

I hereby certify that this TERMINAL DISCLAIMER is being sent via facsimile number (571) 273-8300 to the Commissioner for Patents, Attn: Art Unit 3764, on this 27th day of October, 2005.

MAK
Mark A. Krull

TERMINAL DISCLAIMER

Commissioner for Patents
Attn: Art Unit 3764

Dear Sir:

Applicants, through their undersigned representative, hereby:

1. Disclaim the terminal part of any patent granted on the above-identified patent application which will extend beyond the full statutory term of U.S. Pat. No. 6,629,909;
2. Declare that they own all right, title, and interest in and to the above-identified patent application; and
3. Agree that any patent granted on the above-identified patent application shall be enforceable only for and during such period that said patent is commonly owned with the above-identified patent.

Respectfully submitted,

MAK
Mark A. Krull
Reg. No. 34,205

(541) 385-0383

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stearns et al. Art Unit: 3764
Serial No.: 10/634,138 Examiner: Crow
Filed: 08/04/03
Title: ELLIPTICAL EXERCISE METHODS AND APPARATUS

RECEIVED
CENTRAL FAX CENTER

OCT 27 2005

Certificate of Facsimile Transmission

I hereby certify that this TRANSMITTAL SHEET AND DEPOSIT ACCOUNT AUTHORIZATION and the items identified herein (11 PAGES TOTAL) are being sent via facsimile number (571) 273-8300 to the Commissioner for Patents, Attn: Art Unit 3764, on this 27th day of October, 2005.

MAK
Mark A. Krull

TRANSMITTAL SHEET AND DEPOSIT ACCOUNT AUTHORIZATION

Commissioner for Patents
Attn: Art Unit 3764

Dear Sir:

In connection with the above-identified patent application, transmitted herewith are:

1. Amendment and Response After Final Rejection
2. Terminal Disclaimer

Please consider this a request for any necessary extension of time, including a one month extension.

Please charge any appropriate fees, including \$60.00 for a one month extension of time and \$65.00 for a statutory disclaimer, to USPTO Deposit Account No. 501463. This document is being submitted in duplicate.

Respectfully submitted,

MAK
Mark A. Krull
Reg. No. 34,205

(541) 385-0383

10/28/2005 SFELEKE1 00000047 501463 10634138

01 FC:2251 60.00 DA

RECEIVED
OIPE/IAP

OCT 28 2005